

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

The State of Missouri and the State of Louisiana,

Plaintiffs,

v.

President Joseph R. Biden, Jr., in his official capacity as President of the United States of America,

et. al.,

Defendants.

Civil Action No. 22-cv-1213

CONSENT MOTION FOR LEAVE TO FILE BRIEF IN EXCESS OF PAGE LIMITS

Defendants respectfully request leave to file a brief in support of their forthcoming Motion to Dismiss in excess of the page limits provided by Local Rule 7.8. In support of this unopposed Motion, Defendants state as follows.

Plaintiffs' Complaint asserts novel theories of Article III standing and First Amendment liability against multiple federal officials and the agencies they represent. Defendants' forthcoming Motion to Dismiss will address why all four counts alleged in the Complaint—which raise First Amendment, "ultra vires," and Administrative Procedure Act claims—should be dismissed for lack of subject-matter jurisdiction and failure to state a claim. To adequately address the various legal theories underlying the States' purported standing under Article III and the merits of the claims alleged against each Defendant, and to assist the Court's full consideration of the same, Defendants respectfully request leave to file a brief of up to 65 pages in support of their Motion to Dismiss.

Plaintiffs do not oppose this Motion. In accordance with the Local Rules of this Court, a proposed order is attached.

Dated: July 8, 2022

Respectfully submitted,

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Assistant Director, Federal Programs Branch

/s/ Kyla Snow
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CERTIFICATE OF CONFERENCE

In accordance with the Local Rules of this Court, counsel for Defendants contacted Plaintiffs' counsel to request consent for the filing and granting of this motion. Plaintiffs' counsel informed counsel for Defendants that Plaintiffs do not oppose this motion, provided that Defendants would not oppose a similar page extension motion if requested by Plaintiffs.

/s/ Kyla Snow